THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.22768 OF 2005

DATED:24.10.2005

Between:

Kalidindi Pushpalatha and another

…Petitioners

And

The District Collector, E.G. Dist., at Kakinada

and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.22768 OF 2005

ORDER:

First petitioner is a member of Ward No.2 in Kesankurru Gram Panchayat, T.Polavaram Mandal, East Godavari District. She made a complaint to respondents 1 and 3 herein alleging irregularities of misappropriation of funds by B.Satya Kumari, Sarpanch of the Village, in vain. Therefore, first petitioner filed W.P.No.20302 of 2003. This Court disposed of the same on 25.9.2003 directing respondents 1 to 3 to cause enquiry into the allegations and take necessary action duly giving opportunity to the affected parties. Accordingly, second respondent caused enquiry and came to the conclusion that the Sarpanch has not misappropriated the Gram Panchayat funds, but observed that Sarpanch should act in more transparent manner. The Memo was issued on 1.1.2005 to that effect. Aggrieved by the same, present Writ

Petition is filed.

Learned counsel for the petitioner vehemently submits that when the first petitioner has submitted various representations making various allegations, second respondent chose to conduct enquiry only into one allegation and that the Sarpanch has committed various irregularities.

Though various allegations are made against the Sarpanch, curiously, B.Satya Kumari present Sarpanch, is not made party. On third ground alone, the Writ Petition is liable to be dismissed. Further, when the petitioner filed W.P.No.20302 of 2003, this Court only directed respondents 1 to 3 to cause enquiry into the allegations and therefore it is not possible to fund fault with the impugned Memo dt.1.1.2005. After conducting enquiry, second respondent chose to advert to one aspect of the matter, payment of amounts to beneficiaries for construction of latrines. It does not mean that second respondent has not conducted any enquiry. There is no material before this Court to draw such an inference.

The Writ Petition is devoid of merits and is accordingly dismissed.

_____

(V.V.S.RAO, J)

24.10.2005

bnr